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Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

Board Meeting Minutes – January 5, 2015

21st Floor – Conference Room 1

Present Board Members:

- Walter White, Executive Office of Public Safety Designee, Chair (WW)
- Myra Berloff, Massachusetts Office on Disability Director (MB)
- Raymond Glazier, Executive Office on Elder Affairs Designee (RG)
- Andrew Bedar, Member (AB)
- Lisa Pilorz, Member (LP)
- Carol Steinberg, Member (CS)

and

- Kate Sutton, Program Coordinator/Clerk for Proceedings (KS)
- Thomas Hopkins, Executive Director (TH)

Members Not Present:

- Diane McLeod, Vice Chair (DM)
- George Delegas, Member (GD)

- Meeting began at approximately 9:15 a.m.

1) Discussion: Roll Call

WW - Call to order all but George Delegas and Diane McLeod present

2) **Incoming:** Pilot House and Annex Building, 32 Atlantic Avenue, Lewis Wharf (58 Eastern Avenue), Boston (V14-333)

TH - EXHIBIT – variance application and supplemental information
- sent to the Board to review the entire application

- MB* - schedule a hearing
CS - second – carries unanimously

3) Incoming: 52-54 Winter Street, Boston (V14-334)

- TH* - EXHIBIT – variance application and supplemental information
- commercial retail on floors 1 and 2; offices on floors 3-6, open to the public
- combining two retail spaces into one
- rebuilding one floor plate and moving the entrance door to an area that will be most level with the sidewalk
- jurisdiction is work performed
- façade rebuild
- entry landing will not exceed 1:12 and will provide auto opener at interior and exterior (521 CMR 26.11.1)

- CS* - grant as proposed (slope is less than 1:12 and least slope possible provided, and auto openers)
AB - second – carries unanimously

4) Incoming: Adams Free Library, 92 Park Street, Adams (V14-332)

- TH* - EXHIBIT – variance application and supplemental information
- over 30%
- application sent to the Board for review with Board packets
- entrance at historic front entrance

- MB* - grant, on the condition that proper signage and compliant

- CS* - what about the routes to the bathrooms

- MB* - doors being locked and buzzer?

- WW* - ramp gets you into the lower level

- withdraw motion based on the need for more information

- MB* - submit more information regarding the use of the accessible entrance, regarding intercom and lock release at front desk; why would this be necessary if the accessible entrance is supposed to be unlocked at the same times that the front entrance is unlocked

- WW* - the door is locked after hours, so needs to be unlocked for after hours meetings

- MB* - withdraw the motion

- CS* - want to know what the room is used for that is part of the route to the toilet room

- MB* - grant the variance for the lack of an accessible entrance at the front entrance
RG - second – carries with *CS* opposed

MB - ramp 32' vs. 30' required

MB - grant as proposed

RG - second – carries unanimously

MB - stairs at front vestibule, propose to maintain interior handrail

MB - grant on the condition that compliant wall side handrails are installed as proposed

RG - second – carries unanimously

MB - no discussion of the nosings though, which look problematic

MB - require more information about bringing the nosings into compliance

AB - second – carries unanimously

MB - stairway is closed to the public at all times (rear wing interior stairs)

MB - grant on the condition that the stair is closed to the public at all times as stated

AB - second – carries unanimously

MB - lower level door, accessible toilet, Ante room, 521 CMR 26.6.2
- located in a 12" deep wall, recess greater than 6"

MB - grant

RG - second – carries unanimously

MB - 30.7.2, lower level door, accessible toilet room, ante room
- 36" provided, not 42" as required in front of the toilet

MB - grant as proposed

AB - second – carries unanimously

MB - 30.1, inaccessible toilet rooms
- would have liked more information about these toilet rooms, to see if they could make them a little more accessible

MB - require more information on the toilet rooms that are currently inaccessible

CS - second – carries unanimously

MB - 26.6.2, 3 doors at second floor, main hall; recess of 11" on push side

RG - grant as long as they are kept open during library hours

MB - second – carries unanimously

#4 –

MB - require photographs of the historic door hardware proposed to be maintained; and the location of the hardware throughout the building, noted on a new plan

RG - second – carries unanimously

5) Incoming: Galvin Middle School, 525 Main Street, Wakefield (V14-338)

TH - EXHIBIT – variance application and supplemental information

- sign heights at new school for grades 5-8

- permanent room signs

- 60” to the center of the sign required; providing signs lower than required height

- EXHIBIT – e-mail of support from Shawn McDuff, North Shore and Cape Ann Independent Living Center, December 19, 2014

RG - grant as proposed

AB - second – carries unanimously

6) Incoming Discussion: Spalenza, 185/187 Lake Street, Peabody (V14-318)

TH - presented on 12/15/14, denied the variance at that review

- men’s spa was proposing to take over the second floor

- now owner of existing lower level, proposing to just use the second floor for overflow use

- EXHIBIT – submittal from Sylvane Spalenza, dated January 2, 2015

- proposing no access to the second floor overflow rooms

AB - grant as proposed, for this use only

MB - second – carries unanimously

7) Incoming: The Bement School, Drake Building, 96A Old Main Street, Deerfield (V14-337)

TH - EXHIBIT – variance application and supplemental information

- lift dimensions are 33” by 54 7/16”, with a side exit lift

MB - deny

RG - second – carries unanimously

8) Incoming: 56 Unit Apartment Building, 884-888 Mass. Ave., Cambridge (V14-339)

TH - EXHIBIT – variance application and all supplemental information

- reconstruction of 18 dwelling units, due to a fire

- spending over 30%, but spending not noted on the application

- seeking variances for entrances, winder stairs and accessible routes

MB - hearing

RG - second – carries unanimously

9) Incoming: Commercial Building, 42 Merrimac Street, Newburyport (V14-342)

TH - EXHIBIT – variance application and supplemental information

- proposed exterior covered vertical wheelchair lift

- need variance for 26.6.3c, clearance at exit door, has 42” instead of 54”
- also seeking permission to use auto-locks on the doors of the lift, to lock the lift after hours

CS - grant the variance for the locking of the lift, on the condition that the lift is readily available when the jewelry store is open

RG - second – carries unanimously

MB - grant the dimensions for the lift

RG - second – carries unanimously

10) Incoming: Dining Hall at Dana Hall School, 45 Dana Road, Wellesley (V14-336)

- TH - EXHIBIT – variance application and supplemental information
- proposing to make all but one entrance accessible
 - spending over 30%

RG - grant as proposed

AB - second – carries unanimously

11) Incoming: Theatre Building, 544-558 Adams Street, Milton (V14-352)

- TH - EXHIBIT – variance application and supplemental information
- 7% slope proposed to one entrance with auto-opener

MB as acting chair; WW abstained from discussion

CS - grant as proposed

RG - second – carries unanimously

12) Incoming Discussion: McGauvran Hall, UMass Lowell, 71 Wilder St., Lowell (V14-243)

- TH - EXHIBIT – December 23, 2014 submittal from Peter Harrod via e-mail; hardcopies delivered on December 30, 2014
- previously made a motion to submit more information regarding the proposal for no access to this entrance
 - cost estimate for ramp \$192,000; lift or LULA, \$256,000 or \$300,000

CS - deny and require that a vertical wheelchair lift be installed at that entrance

- no second

MB - grant as proposed

AB - second – carries with CS opposed

13) Hearing: Fiske Elementary School, 45 Hasting Street, Wellesley (V14-169)

- WW - called to order at 11:00 a.m.
- introduce the Board

Chris Racine, SMMA, Civil Engineer (CR)

Jennifer Soucy, SMMA, Architect (JS)

Daniel Braget, SMMA, Architect (DB)

WW - all sworn in
- EXHIBIT 1 – AAB1-47

JS - systems upgrade, and as a result required to bring the building and campus into compliance with AAB requirements

- there are a couple areas where compliance were found to be technologically infeasible or the costs were exorbitant

- red circles that are not filled on AAB16 existing accessible entrances; the red filled circles are proposed accessible entrances, and the two entrances with stars are noted as proposed to being maintained as inaccessible

- reference site plan (NEEDS TO BE SUBMITTED AS EXHIBIT)

- elevator project added

- all of the doors noted will have level landings from the classrooms

- all of the doors into the school are locked during the day

- AAB19, adding a lift would encroach into classroom space, and would also involve relocating some plumbing and electrical work

- adding the elevator will provide an alternate method for a route to this same location

- would involve extensive costs to create the lift, shown on AAB26

CR - front parking and drop-off

CS - what is the route to the playground

JS - out the door into the parking drop-off area and then along a route by the basketball courts to the playground

CR - approximately 200 feet to get to the playground

- the grade slopes down from the building into the parking area

MB - would you consider sending a classroom of children out that way?

- is it safe to send them out into the parking lot

JS - not ideal

DB - could strip a no-parking area for a definitive route

CR - slope of path of travel in that area is 2% or less

WW - can't send a kid with a disability out another route, while the entire class goes out the other inaccessible entrance

MB - major concerns about a separate route for a child unable to go do the stairs

- need a written statement from the principal and signed-off by the Superintendent, noting that all of the children in the classroom of the child with a mobility impairment would travel the same route to the playground (along an accessible route); inaccessible doors are not to be used by a classroom that has a mobility impairment

- an exterior route over the driveway with a painted route is not acceptable, needs to be a safe route out of the path of vehicular paths of travel

MB - continue the discussion regarding variances 1 and 2, for more information to be submitted to the Board regarding a safe path of travel for the accessible entrance on the left side of the building to the play area, with a sworn and notarized affidavit stating that any classrooms that contain a child with a mobility impairment are taken together out to the playground from the closest accessible entrance

RG - second – carries unanimously

- JS - AAB14, 15 and 21 and photo on AAB37
 - gymnasium doors in a recess greater than 6”
 - enlarging the opening, currently 5 exits out of the gym
 - also secondary door from nurse’s office directly into the gym; \$16,000
- RG - concern with student using a wheelchair is in the gym and needs to get to nurses office
- JS - 3 foot door, just at issue is the clear push and pull side clearances
- CS - *grant the variances 3 and 4 for the two gym doors*
 AB - *second – carries unanimously*
- CR - submittal of four updated drawings
- WW - EXHIBIT 2 - overall site plan of property
 - EXHIBIT 3 - Drawing MAAB-5R, Exterior Walkway Variance Sketch
 - EXHIBIT 4 - MAAB-6R, Exterior Walkway Compliance Sketch
 - EXHIBIT 5 - MAAB-7-REV, Revised Exterior Play Area Compliance Sketch
 - EXHIBIT 6 - MAAB-8-REV, Revised Exterior Play Area Compliance Sketch
- CR - MAAB-5R, existing nonconforming path of travel, existing sidewalk along Hastings Street
 - added to accessible parking spaces in the lower parking area (not previously there)
 - there will be a telephone and buzzer at the exterior door that leads directly to the elevator
 - 310 feet for path of travel on 5R sketch, would like to maintain the existing noncompliant walkway and utilize the adjacent sidewalk as a fully compliant accessible path of travel
 - 2-3 trees would have to be removed to create a compliant accessible route, and would require a winding route that would be an excessive distance
 - slope of the noncompliant walkway varies up to 14% in some areas
 - lower lot is used a lot for afternoon pick-up, with parents picking up their children
 - all of the students being picked up are released from the front entrance, while the bus students use the new ramp entrance adjacent to the elevator
- MB - what is the cross slope of the existing walkway?
 CR - generally less than a 2% cross slope
 - would handrails benefit people?
 JS - only concern was safety concern, skateboarding on the handrails for that walkway
- CS - width of the path?
 CR - approximately 6 feet wide
 - majority of parents pull up in a lane in front of the school for pick-up and drop-off
- MB - *continue the walkway discussion to address the slope, lack of handrails, or affidavit stating that the side entrance to the elevator is unlocked and available at the same times that the front entrance is open (including for activities held during non-school hours/days)*
 CS - *second – carries unanimously*
- CR - existing playground (AAB44 and 45) are accessible from a paved area, with engineered wood fiber used throughout the playground
 - was understanding that engineered wood fiber, when properly maintained, does create a compliant accessible path of travel

- opinion of Thomas Hopkins, Director of the AAB, that engineered wood fiber was not an accessible path of travel

- proposing to provide a bituminous path of travel to the playground structures, at a cost of \$108,000 (AAB34)

- seeking variance to not have to provide this modified surface

RG - have you looked into having them do the entire surface

CR - \$500,000

- client chose not to go with the rubberized surface

MB - deny the variance requested and require that accessible surface path of travel be provided to each accessible element of the playground

CS - second – carries unanimously

- submittals within 30 days receipt of the decision

BREAK FOR LUNCH – NO MORE MB

Jeffrey Dougan, Designee for Mass. Office on Disability now present (JD)

14) Incoming Discussion: The Maugus Club, 40 Abbott Road, Wellesley Hills (V14-307)

TH - previously denied variance requested

- EXHIBIT – Charles Kraus letter, received December 30, 2014

- now proposing alternative to not touch the toilets or the urinals, if variance is not granted

CS - grant the variance for the alternate accessible stall, based on tech. infeasibility

JD - second – carries unanimously

15) Incoming Discussion: St. James Church, 1991 Mass. Ave., Cambridge (V14-317)

TH - EXHIBIT – submittal from Holly Lyman Antolinni, with plans, received by the Board on December 8, 2014

- no ramp into the proposed portable toilet trailer and office space

- plan submittals show where alternate accessible meeting locations and accessible toilet rooms

CS - grant the variance requested, as proposed

AB - second – carries unanimously

16) Incoming: 19 Circuit Avenue, Oak Bluffs (V14-348)

TH - EXHIBIT – variance application and supplemental information, plans and photos

- restaurant space, being converted into 3 separate retail spaces

- no partial analysis done

- variance request is for 3 sloped landings at the three separate entrance doors, with auto openers

proposed

- slope will be 5%

AB - grant as proposed

CS - second – carries unanimously

17) Incoming: Quaker Inn and Conference Center, 442 Quaker Avenue, Uxbridge (V14-351)

TH - EXHIBIT – variance application and supplemental information
- need to do a site visit and talk to the building department
- seeking a variance for the emergency egress

CS - schedule a site visit and require spending analysis

RG - second – carries with JD abstaining

18) Incoming: Russian Pentecostal Church of Hope, 176 Garden Street, Feeding Hills (V14-335)

TH - EXHIBIT - variance application and supplemental information
- renovating building that was recently purchased to be converted to church; spending over 30%
- will also be a Phase 2 spending of an additional \$395,000, with an addition to include vertical access
- seeking a 5 year time variance to complete the vertical access

JD - continue discussion until after a meeting with TH

RG - second – carries unanimously

19) Incoming: UMass Memorial Medical Center, South Parking Garage, Benedict Lot, Emergency Parking Lot, 55 Lake Avenue North, Worcester (V14-353)

TH - EXHIBIT – variance application and supplemental information
- have a valet service in place, used because of multiple parking lots; but Center for Living and Working is opposed

- EXHIBIT - letter from Michael Kennedy, Center for Living and Working, e-mailed on December 30, 2014

- supposed to provide an additional 45 accessible parking spaces

CS - hearing

AB - second – carries with LP abstaining

20) Incoming: The Log, 78 Spring St., Williamstown (V14-346)

TH - EXHIBIT – variance application and supplemental information
- spending \$3.3 million, well over 30%
- converting it to public restaurant, previously limited to alumni and students
- three variances; 1 for one of the entrances at an existing porch

JD - grant, on the condition something is put on the stairs, blocking them as an entrance with signage noting that the stairs are emergency egress only

AB -second – carries with CS opposed

TH - doors and doorways

- 26.1.2

JD - grant the lack of vertical access, on the condition that a sworn affidavit is submitted and registered stating that that floor is employee only space

CS - second – carries unanimously

JD - grant (26.1.2) on the condition that compliant exit signage provided

AB - second – carries unanimously

21) Hearing: Lorenzo's Restaurant, 500 West Grove Street, Middleborough (C14-067)

WW - called to order at 1:55; scheduled for 1 p.m.; no one present to represent the owners

RG - find in favor of the Complainant

JD - second – carries unanimously

JD - schedule a fine hearing

CS - second – carries unanimously

JD - expedite the decision of the Board

CS - second – carries unanimously

22) Hearing: Pentucket Regional High School, 24 Main Street, West Newbury (V12-239)

WW - called to order at 2:00 p.m.

- introduce the Board

Matthew Tobin, Esq., Counsel for School District (MT)

Jeffrey Mulqueen, Superintendent of Schools for Pentucket Regional School District (JM)

Lenny, Mirra, State Representative for the Town of West Newbury (LM)

WW - all parties sworn in, with exception of Attorney Tobin

- EXHIBIT 1 – AAB1-51

MT - became involved in November of 2014, due to notification from Board of Fine Hearing scheduled for today

- November 19, 2014 forwarded communication to the Board and asked the Board to forgo any penalties, based on the District's efforts to comply in good faith with an order of the Board

- Exhibit C of November 19, 2014 submittal to the Board, attached e-mail between Greg LaBrecque, Business Manager for the School District, noting that Gale Associates had reviewed the press box at the site, and determined that the press box in May of 2014 was not structurally sound and should not be used, noting that they did not feel as though they could provide compliant access to the press box

- the e-mail noted that the District was proposing to remove the structure the press box from its current location

- District intended for the e-mail to meet the status report and exhibit their plan for compliance
- the press box was discontinued in May of 2014 and in September of 2014 the press box was removed from the stands and lowered to the ground level behind the existing stands
- understand the confusion of communications from Representative Mirra
- District is seeking funding to renovate the existing fields and will therefore bring the fields and all auxiliary structures into compliance with 521 CMR
- Representative Mirra's office was not representing the District

JM - currently there is a tarp provided where the scoreboard and local commentators operate during games

CS - why no mention of structural issue in the original variance

JM - became superintendent in July of 2012
 - the structure was donated in 2009 on behalf of a student that had passed away
 - soon after that, a lift was donated, because of the realization of the need for vertical access
 - the lift that was donated was too short, so it simply sat under the lift
 - determined last year that the District would look at different possibilities for the athletic facilities
 - if the plan to buy the house in front of the property had worked out, then the whole football arena would be brought to the front of the school; therefore have to go with an alternative plan, and the football field was never touch
 - the structure was never reviewed
 - now that the structure has been evaluated and found to not be suitable for use, seeking funds for MSBA and seeking funding from the Towns to finish the renovation of the athletic fields, which is probably 3 years out
 - may have to build a new press box, no press box will be used until then
 - a new press box would comply in full, and other areas beyond the press box for the field would be updated
 - 3-5 year process to complete the fields

TH - AAB29, the "elevator" was actually the vertical wheelchair lift that was donated as used equipment

JM - have to make sure that the press box is structurally sound, or as proposed, create a new structure
 - some people contacted Representative Mirra about the press box, since it was donated on behalf of a former student who had passed away

LM - took office in 2013, and was unaware of the press box
 - when constituents called, they said that all that they needed was a letter to help with the use of the press box being allowed
 - had no intention of using the press box without compliance, just acting on behalf of constituents without much knowledge of the case

CS - *no fines shall be rendered at this time, based on the testimony proving that there was no willful noncompliance*

JD - *second – carries unanimously*

CS - order that, in accordance with the testimony, the press box will not be used, unless and until a plan for compliance is submitted to and approved to make an accessible press box

JD - second – carries unanimously

23) Incoming Discussion: The Via Lago Restaurant, 1845 Mass. Ave., Lexington (V14-319)

TH - EXHIBIT – plan submittal from Blaze LaPorte, via e-mail on December 19, 2014
- proposal for accessible entrance

CS - accept the plan for the accessible entrance

AB - second – carries unanimously

24) Hearing: Entrance at 239 Causeway Street, 239 Causeway Street, Boston (V14-215)

WW - called to order at 3:10 p.m.
- introduce the Board

Joe Pappalardo, Boston Development Group, Project Manager (JP)

WW - JP sworn in
- EXHIBIT 1 – AAB1-15

JP - main entrance to the building is not on Causeway Street, but on Medford Street
- in 2013 Division of Capital Asset Management and Maintenance (DCAMM) came to the property managers regarding the slope of the sidewalk at this Medford Street entrance
- DCAMM noted several issues with the building in regards to the lack of compliance with 521 CMR
- this included work at common area bathrooms, work at the existing lobby vertical wheelchair lift
- the only remaining issue is the slope leading up to the entry door is City of Boston property, issue is that if you raise the sidewalk, there would be a 12-14” curb stone
- invested \$7-8,000 for surveying this sidewalk
- in order to make the curb height acceptable (7-9”), would require repaving 75% of Medford Street in order to maintain run-off requirements
- work was put out to bid (AAB10), over \$72,000 worth of work, with a large amount of work not accounted for (engineering work, permitting, police details, etc.); with those amounts included, it will cost an estimated \$90-100,000
- property management company, do not typically handle heavy road construction
- caught in a dispute between DCAMM, asking them to repair entrance and the City owning the sidewalk
- DPH licensing office and ABCC office located as tenants within this building
- also taking a look at making the entrance on Causeway Street a main entrance to the building

WW - AAB16, is the entrance level beyond the door?

JP - 5-6 steps at the interior, but there is a vertical wheelchair lift within that entrance lobby

WW - door opener at the entrance door shown, and then just a metal threshold at the entrance doorway

JP - plan by JD Lagrasse

- can re-pour the landing, just need approval from the City of Boston; auto-opener already provided

CS - *continue for more information, via the submittal of a plan for the front entrance landing, showing a slope just altering the adjacent sidewalk; submitted by March 3, 2015*

RG - *second – carries unanimously*

JD now present

25) Incoming: Residential Apartment Building, 65 Langdon Street, Cambridge (V14-309)

TH - spending under 30% but over \$100,000; previously denied by the Board review

- only requirement is for common areas and the public entrances to comply

- EXHIBIT - test drawings for a ramp and lift submitted, cost estimates submitted by Peter Poras on

December 30, 2014

- \$149,000 for the switchback ramp option; \$155,000 for vertical wheelchair lift

- 12 units within the building

- exterior stairs as well as three interior stairs

JD - *grant as proposed*

AB - *second – carries unanimously*

26) Advisory Opinion: Myopia Hunt Club, Main Clubhouse, 435 Bay Rd., South Hamilton (V14-193)

TH - EXHIBIT – submittal from Lawrence Snively on December 19, 2014

- question about the door swinging into the toilet room

- proposal for platform lift

AB - *toilet room door swing complies*

LP - *second – carries with CS abstaining*

JD - *platform lift design complies*

RG - *second – carries unanimously*

27) Incoming: Whitman Park, Bandstand Gazebo, Park Ave., Whitman (C13-000 & V14-345)

TH - variance application is not complete and will hold the decision until complete application is submitted

- proposals submitted for lift and/or ramp

- seeking relief to not have to make the bandstand accessible because of the height

- the jurisdiction is the installation of the stairs to the gazebo

- \$36,000 to build the ramp; \$36,000 just for the lift equipment

AB – grant based on the fact that full compliance proven to be an excessive cost without substantial benefit to persons with disabilities

LP – second – carries with JD abstaining

AB – hold decision of the Board until check, hard copy and CD, per the requirements of the variance application submittal requirements

LP – second – carries with JD abstaining

28) Incoming Discussion: 181 South Main Street, Middleton (V14-185)

Mark Dempsey, Compliance Officer for the Board (MD)

MD – Board granted the variance for the toilet room, but Building Department requested a site visit

- toilet and sink are located on the short wall

- grab bar behind the toilet is only 24” and only 28” between centerline of the toilet and the sink provided

- site visit conducted on November 13, 2014

- seeking to amend original variance to include the items noted in the site visit report

- 69 ½” by 93” provided

- some drawings submitted showed the sink on the opposite wall than currently located (on the shorter dimension wall)

- November 13, 2014 site visit – EXHIBIT – site visit report

JD – deny the request for the lack of compliant clear width between center line of toilet and sink

AB – second – carries unanimously

JD – deny the request for the noncompliant grab bar length

AB – second – carries unanimously

JD – submit plan for compliance within 60 days receipt of the decision of the Board

CS – second – carries unanimously

WW left the room, JD as acting chair

29) Incoming: Walden Pond State Reservation, 915 Walden Street, Concord (C13-084 & V14-349)

MD – EXHIBIT – variance application and supplemental information

- complaint regarding existing parking; slope, location

- seeking a variance for time to provide 10 accessible parking spaces which will be disbursed, but may be further away from the main building

- EXHIBIT – e-mail from Bard-Allan Finlan on December 22, 2014, not opposed to the variance request, although does note that access aisle slope was not discussed by the Department of Conservation and Recreation (DCR)

- variance request for disbursement of the parking spaces

CS – accept the proposed plan for compliance

AB – second – carries unanimously

30) Incoming: Seven Hills Extended Care of Groton, 34 Adin Street, Hopedale (V14-350)

- TH - EXHIBIT – variance application and supplemental information
- in reviewing the application, the plans only show the reflective ceiling plan for basement and third floor
-EXHIBIT- e-mail sent today, January 5, 2015, with more plans submitted by David Sorgman
- base application was for time for the elevator, which will be ready in March 31, 2015
- we allowed them to open with a temporary CO, based on the fact that everything was in compliance

WW now present

- AB - *grant temporary CO for this property, on the condition that elevator project is completed by 3/31/15 and that they meet with TH as soon as possible*
JD - *second – carries unanimously*

31) Incoming: Boston Stone Building, 9 Marshall Street, 114 and 120 Blackstone Street, Boston (V14-344)

- TH - EXHIBIT- variance application and supplemental
- would like to send to Board and have them review and render vote at next meeting

- CS - *continue and have the Board Members be sent the variance application to review and render a decision at the next meeting*
JD - *second – carries unanimously*

32)Discussion: Townhouse Project, 185 North Main Street, North Brookfield

- TH - previously made a motion to issue a decision to issue a subpoena for the plans of the building to be submitted to the Board
- the work is over 30% and they are putting off accessibility upgrades
- one million dollar grant issued for the building, but no plans for access
- not currently occupied, so building inspector is saying that access not required, but the building will be open to the public once the work is completed

- CS - *issue an order that no further permits shall be issued and a stop work order shall be posted immediately*
JD - *second – carries unanimously*

33) Incoming Discussion: Newton City Hall, War Memorial Hall, 1000 Commonwealth Avenue, Newton (V14-235)

- TH - nothing been submitted until the previous decision of the Board was vacated due to the lack of notice sent to the Newton Commission on Disability
- call from Jason Rosenberg, former member of Newton Commission on Disability, stating that nothing was done in notice from error

- the applications and all supplemental information were delivered to building department, and not forwarded to the Disability Commission as a member of the Commission

34) Incoming Discussion: Spalenza, 185/187 Lake Street, Peabody (V14-318)

TH - e-mail from Brian Bolden, Northeast Independent Living Center to Lee Miserian (Men's Spa), saying that they want to meet with Spalenza (January 5, 2015);

JD - hold the previous decision to grant the variance for the second floor lack of access, until the petitioners and NE Independent Living Center meet with TH, and allow TH to release the decision at his own discretion

RG - second – carries unanimously

35) Discussion: Minutes and Decisions from 12/15/14

KS - some grammar changes and substance changes

AB - accept with proposed changes

CS - second – carries unanimously

- End of Meeting -

Matters not reasonably anticipated 48 hours in advance of meeting

- Townhouse Project, 185 North Main Street, North Brookfield

EXHIBITS:

- Pilot House and Annex Building, 32 Atlantic Avenue, Lewis Wharf (58 Eastern Avenue), Boston (V14-333) -variance application and supplemental information
- 52-54 Winter Street, Boston (V14-334) - variance application and supplemental information
- Adams Free Library, 92 Park Street, Adams (V14-332) - variance application and supplemental information
- Galvin Middle School, 525 Main Street, Wakefield (V14-338) - variance application and supplemental information; e-mail of support from Shawn McDuff, North Shore and Cape Ann Independent Living Center, December 19, 2014
- The Bement School, Drake Building, 96A Old Main Street, Deerfield (V14-337) - variance application and supplemental information
- 56 Unit Apartment Building, 884-888 Mass. Ave., Cambridge (V14-339) - variance application and all supplemental information
- Commercial Building, 42 Merrimac Street, Newburyport (V14-342) - variance application and supplemental information
- Dining Hall at Dana Hall School, 45 Dana Road, Wellesley (V14-336) - variance application and supplemental information
- Theatre Building, 544-558 Adams Street, Milton (V14-352) - variance application and supplemental information
- 19 Circuit Avenue, Oak Bluffs (V14-348) - variance application and supplemental information, plans and photos

- Quaker Inn and Conference Center, 442 Quaker Avenue, Uxbridge (V14-351) - variance application and supplemental information
 - Russian Pentecostal Church of Hope, 176 Garden Street, Feeding Hills (V14-335) - variance application and supplemental information
 - UMass Memorial Medical Center, South Parking Garage, Benedict Lot, Emergency Parking Lot, 55 Lake Avenue North, Worcester (V14-353) - variance application and supplemental information; letter from Michael Kennedy, Center for Living and Working, e-mailed on December 30, 2014
 - The Log, 78 Spring St., Williamstown (V14-346) - variance application and supplemental information
 - Residential Apartment Building, 65 Langdon Street, Cambridge (V14-309) – variance application and supplemental information; test drawings for a ramp and lift submitted, cost estimates submitted by Peter Poras on December 30, 2014
 - Whitman Park, Bandstand Gazebo, Park Ave., Whitman (C13-000 & V14-345) – December 1, 2014 e-mail from Francis Lynam, Town Administrator
 - Walden Pond State Reservation, 915 Walden Street, Concord (C13-084 & V14-349) - variance application and supplemental information; e-mail from Bard-Allan Finlan on December 22, 2014, not opposed to the variance request, although does note that access aisle slope was not discussed by the Department of Conservation and Recreation (DCR)
 - Seven Hills Extended Care of Groton, 34 Adin Street, Hopedale (V14-350) - variance application and supplemental information; e-mail sent today, January 5, 2015, with more plans submitted by David Sorgman
 - Boston Stone Building, 9 Marshall Street, 114 and 120 Blackstone Street, Boston (V14-344) - variance application and supplemental
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- McGauvran Hall, UMass Lowell, 71 Wilder St., Lowell (V14-243) - December 23, 2014 submittal from Peter Harrod via e-mail; hardcopies delivered on December 30, 2014
 - The Maugus Club, 40 Abbott Road, Wellesley Hills (V14-307) - Charles Kraus letter, received December 30, 2014
 - St. James Church, 1991 Mass. Ave., Cambridge (V14-317) - submittal from Holly Lyman Antolinni, with plans, received by the Board on December 8, 2014
 - The Via Lago Restaurant, 1845 Mass. Ave., Lexington (V14-319) - plan submittal from Blaze LaPorte, via e-mail on December 19, 2014
 - Myopia Hunt Club, Main Clubhouse, 435 Bay Rd., South Hamilton (V14-193) - submittal from Lawrence Snively on December 19, 2014
 - 181 South Main Street, Middleton (V14-185) – November 13, 2014 site visit report
 - Newton City Hall, War Memorial Hall, 1000 Commonwealth Avenue, Newton (V14-235) - file documents
 - Spalenza, 185/187 Lake Street, Peabody (V14-318) - submittal from Sylvane Spalenza, dated January 2, 2015; January 5, 2015 e-mail from Brian Bolden, Northeast Independent Living Center to Lee Miserian (Men's Spa), saying that they want to meet with Spalenza